

DIST/OFFICE	DOCKET NUMBER	FILING DATE MO. DAY YEAR	J	N/S	O	R	R 23	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR. NUMBER
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PLAINTIFFS

PANHANDLE, INC., a corporation;
and LIBERAL AIRCRAFT, INC., a
corporation

DEFENDANTS

AIRCRAFT ENTERPRISES, INC., a
corporation; and B & J FLYING
SERVICE, INC., a corporation

CAUSE

Breach of expressed/implied warranty.

ATTORNEYS

Kerry McQueen
419 N. Kansas
P. O. Drawer "I"
Liberal, KS 67901 (316) 624-2548

Robert A. Curry
NBT Building
Tulsa, OK 74103
585-9161
4100 Bank of OK Tower
One Williams Center
Tulsa, OK 74103
918/588-2729

Charles F. Alden, III (B&J)
Gary C. Bachman (B&J) 235-8593
Rhodes, Hieronymus, Holloway & Wilson
Suite 1100 - 101 Park Ave.
Okla. City, Okla. 73102
D. C. Johnston, Jr. (Aircraft Enter.)
3200 Liberty Tower
Oklahoma City, Ok 73102
405-235-1611

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HERE
IF CASE WAS
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DATE

RECEIPT NUMBER

C.D. NUMBER

STATISTICAL CARDS

CARD

DATE MAILED

JS-5

07-01-76

JS-6

8-1-79

B
PROCEEDINGS

DATE 1976	NR.	
6-10	1.	Complaint, filed.k
6-10	2.	Pltfs' <u>DEMAND FOR JURY TRIAL</u> , filed.k Summons issued.
6-30		Summons, ret. & filed: served Aircraft Enterprises, Inc. on 6-23-76, and B & J Flying Service, In. on 6-18-76. (USM \$22.56)g
7-1	3.	Answer of B & J Flying Service, Inc., filed. hm
7-14	4.	Deft. Aircraft Enterprises application for extension of time to answer, filed. b
7-14	5.	Order, filed, allowing Deft. Aircraft Enterprises an additional 30 days from 7-14-76, to answer.(AEB-J)b cps mld
7-20	6.	Deft. B&J Flying Service, Inc. interrogs to pltfs., filed. lm
8-9	7.	Pltfs' appl. to file amended complaint, filed.k
8-12	8.	Deft. Aircraft Enterprises, Inc.'s answer and cross-claim against deft. B & J Flying Service, Inc., filed. <u>JURY TRIAL DEMANDED</u> .s
8-18	9.	Pltf's appl. for 30 days to answer interrogs. of deft. B & J Flying fld. k
8-18	10.	Order, filed, granting Pltf. Panhandle Aircraft, Inc. 30 days from 8-19-76 to ans. interrogs.s (AEB-J) cps. mld.
8-30	11.	Order, filed, granting pltfs. leave to file amended compl. (AEB-J)k cps mld
8-30	12.	Pltfs' amended complaint, filed.k
8-30	13.	Deft. B & J Flying Service, Inc.'s answer to amended compl., filed.s
8-30	14.	Deft. B & J Flying Service, Inc.'s answer to cross-claim of co-defendant Aircraft Enterprises, Inc. , filed.s
9-20	15.	Appl. for ext. of time to ans. interrogs., fld. by Pltfs. v (o)
9-21	16.	Order, filed, granting pltfs. until 9-24-76 to ans. interrogs. (AEB-J)g
9-22	17.	Answers of pltf. to interrogatories, filed. rm
10-18	MO:	Parties are directed to hold PT conf. on or before 11-29-76 & file PT Order on or before 12-6-76. (AEB-J)k cps by cert ml
11-26	18.	Pltf's appli. for continuance of pretrial requirement for an additional 60 days, filed. lm of 60 days
1-4	19.	Pltf's application for extension / to file pre-trial order.s O to J
1-7	20.	Order, filed, granting pltf. an addit. 60 days to file pre-trial order. (AEB-J)ph cps mld (to comply with order of 10-18-76)
1-27	21.	Pltfs' appl for continuance of PT order until 3-29-77, filed.s O to J
1-28	22.	Order, filed, granting Pltfs addit'l 60 days, until 3-29-77, to file PT Order. (AEB-J)b cps mld
11-3	23.	Deft. Aircraft Enterprises, Inc.'s Request for Admissions, filed. 1m 2nd amended
2-14	24	Pltfs' mot. to file 2nd amended compl., filed. lm (compl. attached)
2-14	MO	Ordered by the Court that deft. is granted ten days from this date to file a response to pltf's motion to file second amended complaint. (AEB-J)lm ltrs mld.
2-15	Ltr.	Letter from D.C. Johnston, Jr. to Judge Barrow, fld. re: pltfs' motion for leave to file second amended complaint
2-22	25	Response of B&J Flying Service Inc. to the motion to amend amended complaint. fld ho
2-24	26	Response of Aircraft Enterprises, Inc. to the mot. to amend amended complaint. fld ho
3-2	27	Pltfs' reply to defts' responses to pltfs' mot. to amend amended compl, filed.k

CIVIL DOCKET CONTINUATION SHEET

B

PLAINTIFF		DEFENDANT	DOCKET NO. _____
PANHANDLE, INC., et al		AIRCRAFT ENTERPRISES, et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
3-8-77	28.	Pltfs ans. to request for admissions, filed. lm	
3-11	29.	Response of B&J Flying Service, Inc., to Pltfs.' reply to objection to mot. to amend, fld. v	
3-31	30	Pltf. application for continuance. fld. O to J. ho	
4-4	31.	Order, filed, granting pltfs. until 5-28-77 to comply with pre-trial requirements. (AEB-J)k cps mld by pltf.	
4-13	32	Notice/to take depositions of Charlie Mitchell, W. K. Nations, Loren Abbott, Dick Carter, and Norman Lichteig, filed. lm	
4-13	33	Pltfs. notice to take depositions of Norman Lichtenig, Dick Carter, Loren Abbott, W. K. Nations and Charles Mitchell. fld. ho	
4-14	34	Pltfs. request for admissions. fld lm	
5-4	35	Deft. B & J Flying Service, Inc. answer to request for admissions. fld. ho	
5-11	MO:	Case referred to Magistrate Robert S. Rizley for Findings and Recommendations on all motions. (AEB-J) njb	
5-27	MO	Case set for hrg. on pltf's motion to file second amended complaint before Mag. Rizley on 6-10-77 at 11:00 a.m. (RSR-Mag)ho ntc by KT	
5-31	36.	Pltf's appl. for continuance of pre-trial requirements, fld. ho O to J	
5-31	37.	Order, filed, granting pltfs. until 7-27-77 to comply with pre-trial requirements. (AEB-J)k cps mld	
6-10	Min	Case called for hrg. on pltf's mot. to file 2nd amended compl. Parties represented. Pltf. granted 5 days to file additional brief and deft. granted 5 days thereafter to respond. (RSR-Mag)k	
6-15	38.	Pltf's supplemental brief in support of motion for permission to file second amended complaint, filed. ho	
6-27	39	Defts. Aircraft Enter., Inc. & B&J Flying Service, Inc. supplemental brief. fld. ho	
6-27	40	Defts. mot. for S/J. with brief in supp. fld. ho	
6-27	MO	It is ordered by the Ct. that the Pltf. file a responsive brief w/in 10 days to Defts. mot. for S/J. (AEB-J) cps mld. ho	
7-7	41	Pltfs. appl. for continuance. fld. ho O to J.	
7-8	42	Order, fld. granting Pltfs. an ext. of time until 7-18-77 to file a responsive brief to Defts. mot. for S/J. (AEB-J) cps mld. ho	
7-18	43	Pltfs. appl. for continuance. fld. ho O to J.	
7-18	44	Pltfs. brief in opposition of Defts. mot. for S/J. with supplemental statement of facts. fld. ho	
7-20	MO:	The Court has for consideration the application of plaintiff for an extension of 60 days from 7-27-77, to file pre-trial order, and being fully advised in the premises, finds that said application should be granted. IT IS SO ORDERED. (AEB-J)b lts mld	
7-27	45	Joint mot. of defts. for 15 days to respond to pltfs' brief in opposition to defts' mot. for S/J, filed.k O to J	
7-29	MO	The Court has for consideration defts' mot. for leave to respond to pltfs' brief in opposition to defts' mots. for S/J, and, being fully advised in the premises, finds that said mot. should be granted. It is therefore ordered that said mot. is sustained & defts. are granted 15 days to file said response. (AEB-J)k cps mld	

CIVIL DOCKET CONTINUATION SHEET

B

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1977			
8-15	46	Defts. response to Pltfs. brief in opposition to Defts. mot. for S/J. fld. ho	
9-19	47	Deft. B&J Flying Service appl. for leave to file responsive brief out of time. fld. ho 0 to J.	
9-19	48	Parties appl. for ext. of time to complete PT conference. fld. ho	
9-19	49.	Order, filed, granting deft. B&J leave to file reply to pltfs' brief in opposition to mot. for S/J out of time. (AEB-J)k cps mld to movant	
9-19	50.	Reply of deft. B&J to pltfs' brief in opposition to mot. for S/J, filed.k cpy mld to deft B&J	
10-5	51..	Order, filed, that motion of all parties to extend PT conf. date for 60 days beyond date upon which defts' motion for Summary Judgment is ruled upon is hereby granted.(AEB-J)b cps mld	
12-30	MO	Case set for hrg. before Mag. on defts' mot. for S/J on 1-23-78 at 11:00 a.m. (RSR-Mag)k ntc by KT	
1978			
1-9	MO	Defts' mot. for S/J set for hrg. before the Mag. on 1-23-78 at 11:00 a.m. is stricken and reset for 1-30-78 at 1:30 p.m. (RSR-Mag)k ntc by KT	
1-12	MO	Case set for hrg. before Mag. on defts' mot for S/J on 1-30-78 at 1:30 p.m. (RSR-Mag)k ntc by KT	
1-18	MO	Hrg. before Mag. on defts' mot. for S/J set for 1-30-78 at 1:30 p.m. is stricken and reset on 2-21-78 at 1:30 p.m. (RSR-Mag)k ntc by KT	
2-10	MO	Hrg. before Mag. on defts' mot. for S/J set for 2-21-78 at 1:30 p.m. is passed to 2:00 p.m. (RSR-Mag)k ntc by ho	
2-21	Min	Case called for hrg. on pltfs' mot. to file second amended compl. and defts' motion for S/J. Parties represented. Mag. recommends motion to amend compl. be sustained and defts' mot. for S/J be sustained as to Count 1. Counsel for defts. to prepare F&R and proposed order w/in 10 days. (RSR-Mag)k	
3-14	52	Findings & Recommendations of the Mag., filed. Mag. recommends that defts' mot. for S/J as to Count I of the Amended compl. be sustained. Further, that pltf's mot. to file a second amended compl. be sustained. (RSR-Mag)k cps mld	
3-28	53	Order, filed, that defts' mot. for S/J as to Count 1 is sustained, and that pltfs' motion to file second amended compl. is sustained. (AEB-J)k cps mld	
3-29	54.	Pltfs' second amended compl., filed.k cps mld	
4-21	55.	Separate Answer of Deft. B&J Flying Service, Inc., to 2nd Amended Complaint, filed, w/leave granting to file out of time.(AEB-J)b cpy mld	
5-19	--	Depo. of Arthur J. Downs taken of behalf of the Defts. on 4-27-78 before B. W. Lewis, CSR. fld. ho	
5-19	--	Depo. of Gary Morgan taken on behalf of the Defts. on 4-27-78 before B. W. Lewis, CSR, fld. ho	
6-8	MO	Case set for disposition before Mag. Robert Rizley on 6-22-78 at 9:30 a.m. for failure of parties to file pre-trial order. (RSR-Mag)k ntc mld	
6-12	56	Deft. Aircraft Ent. separate ans. to second amended compl. & cross claim, fld. ho	
6-12	57	Deft. B & J Flying Service mot. for S/J. fld. ho	
6-12	58	Deft. B & J Flying Service brief in supp. of mot. for S/J, fld. ho	
6-12	MO	It is ordered that the Pltfs are granted 10 days to file a responsive breif to Deft. B & J mot. for S/J. (AEB-J)ho c/m	

CIVIL DOCKET CONTINUATION SHEET

BARRON

76-C-255-C

FPI-MAR

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1978			
6-15	59	Motion for Summary Judgment, filed by deft. Aircraft Enterprises w/ brief in support (adoption of brief of deft. B&J Flying Service).k	
6-15	MO	Pltfs. are directed to file a response to deft. Aircraft Enterprises' mot. for S/J w/in 10 days. (AEB-J)k cps mld	
6-22		Case called for failure of parties to file PTO. Mag. reports he has been advised that parties are circulating PTO for signatures & has given them 20 days to file PTO & also has given Pltf. 20 days to file response to motion for S/J.(RSR-Mag)b	
7-12	60	Pltf's reply in opposition to defts' mots. for S/J, filed.k	
7-12	61	Pltf's brief in opposition to defts' mots. for S/J, filed.k	
7-12	62	Pltf's request for oral argument on defts' mots. for S/J, filed.k	
7-12	MO	Case referred to Mag. Robert Rizley pursuant to Order M-128 regarding defts' mots. for S/J. (AEB-J)k	
7-14	63	Deft. B & J ans. to cross-claim of Deft. Aircraft Enterprises, fld. ho	
7-17	64	Suppl. brief of deft. B & J Flying Service in support of its mot. for S/Judgment, filed. g	
7-17	65	Plaintiffs' proposed pre-trial order, filed. g	
7-19	66	Defendants' proposed pre-trial order, filed.k	
7-20	MO:	Case set for PT conf., hearing on deft B&J's motin for S/J & deft. Aircraft Enterprises' motion for S/J on 8-7-78, at 3:00 P.M. (RSR-Mag) b nts by KT	
8-7	Min.	Case called for hearing defts' motions for S/J. Parties present. Hearings on motions passed pending completion of additional discovery. Pretrial conference conducted. Discovery to be completed by 10-16-78. Final pretrial conference to be held 10-16-78. (RSR-Mag) b	
8-25	67	Deft. B & J Flying Service mot. for an order making additional parties Pltf. fld. ho	
8-25	68	Deft. B & J Flying Service brief in supp. of mot. for an order making additional parties Pltf. fld. ho	
8-25	MO	It is ordered that the parties are granted 10 days to file a responsive brief to Deft. B & J Flying Service mot. for an order making additional parties Pltf. (AEB-J)ho c/m	
9-5	--	Letter from counsel for deft. Aircraft, filed, as response to mot. of deft. B&J for an Order making additional parties pltf.k	
9-8	69	Pltfs. mot. for additional time to respond to Deft. B & J mot. for order making additional parties Pltf. fld. ho O to J.	
9-8	70.	Order, filed, granting pltfs. until 10-4-78 to respond to deft. B&J's mot. for Order making addtl. parties pltf. (AEB-J)k cps mld to movant	
9-25	MO	Case set for final pre-trial conf. before the Mag. on 10-16-78 at 2:00 p.m. (RSR-Mag)k ntc by KT	
10-3	MO	Final PT Conf. set before the Mag. on 10-16-78 at 2:00 o'clock p.m. has been stricken & will be reset on 11-6-78. (RSR-Mag.)ho ntc by KT	

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR

PLAINTIFF		DEFENDANT	DOCKET NO. _____
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DATE	NR.	PROCEEDINGS	
1978			
10-4	71	Pltfs. reply on behalf of National Aviation in opposition to Defts. mot. to make additional parties Pltf. w/ratification of Natl. Avia. attached. fld. ho	
10-4	72	Pltfs. brief in supp. of Pltfs. ans. to Defts. mot. for an order making additional parties Pltf. fld. ho	
10-4	73	Pltfs. request for oral argument. fld. ho	
10-11	74	Pltfs' not/ to take deposition of Bernard J. Coogan on 10-17-78 at Liberal, KS, fld.ra	
10-19	MO	Case set for hrg. before the Mag. on pending mots. and for pre-trial conf. on 11-6-78 at 2:00 p.m. (RSR-Mag)k cps by KT	
10-27	75	Pltfs. request for admissions, fld. ho	
10-27	MO	Pre-trial conf. & hrg. on mots. before the Mag. set for 11-6-78 at 2:00 p.m. is stricken, to be reset on 11-20-78. (RSR-Mag)k cps by KT	
11-1	76	Affidavit of W. K. Nation, filed.k	
11-3	--	Deposition of Bernard J. Coogan, taken on behalf of pltfs., filed. g	
11-3	77	Deft. B&J's answer to pltfs' request for admission no. 1, filed.k	
11-6	78	Pltfs' motion to compel discovery by deft. B&J, filed.k	
11-6	MO	Deft. B&J is ordered to file a response on or before 11-19-78 to pltfs' mot. to compel discovery. (AEB-J)k cps mld	
11-8	MO	Case set for hrg. before the Mag. on pending mots. on 11-20-78 at 2:00 p.m. (RSR-Mag)k ntc by KT	
11-16	79	Deft. B & J Flying Service response to Pltf. mot. for order compelling discovery in the form of supplemental ans. to Pltfs. request for admission of fact, fld. ho	
11-20	Min.	Case called for hearing on motions & for pre-trial conference. Parties pres. Deft. B&J's motion for S/J & Deft. Aircraft Enterprises' motion for S/J are taken under advisement. Pltf's request for oral argument on defts' motion for S/J & for oral argument on Deft. B&J's motion to make additional party Pltf., are moot. Deft. B&J's motion to add National Aviation Underwriters as Add'l party Pltf. is recommended to be overruled. Pltf. to prepare F&R & proposed Order in 10 days. Pretrial conference held. Parties to file final pre-trial Order on or before 11-27-78. (RSR-Mag) b	
11-28	80.	Pre-Trial Order, filed. (AEB-J)b cps mld	
11-28	MO	Mag. recommends that deft. B&J's mot. for S/J & deft. Aircraft's mot. for S/J be overruled. Pltf. counsel to prepare F&R & proposed Order w/in 10 days. (RSR-Mag)k cps by KT	
12-15	81.	Findings & Recommendations of the Mag., filed. Mag. recommends that defts' mots for S/J and for Order making addtl. party pltf. be overruled. (RSR-Mag)k cps mld	
1979			
1-5	82	Order, filed, that defts' mots. for S/J & for an Order making addtl. party pltf. are overruled. (AEB-J)k cps mld	
3-16	MO	Case transferred to Judge H. Dale Cook. (JCS-Clk)k	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF Panhandle, Inc., et al	DEFENDANT Aircraft Enterprises, Inc., et al	DOCKET NO. <u>76-C-255</u> PAGE <u>7</u> OF <u>4</u> PAGES
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DATE 1979	NR.	PROCEEDINGS
4-10	MO	CASE SET FOR PT HRG. 5-1-79 at 10:00 A.M.; disc. to be completed by 4-21-79; PT memo or order due 4-24-79. (HDC-J)k cps mld
5-1	MO:	Upon advice from pltf. counsel that case has settled, PT hrg. this date is stricken, pending final papers being filed. (HDC-J)hm
7-11	83	MOTION TO DISMISS CROSS-CLAIM. b (O part of applic to J)
7-11	84	APPLICATION FOR ORDER OF DISMISSAL W/PREJUDICE. b O to J
7-11	--	ORDER, as part of mot., dismissing cross-claim of deft. Aircraft Enterprises against deft. B&J Flying Services, w/ prejudice. Entered. (HDC-J)k cps mld
7-11	85	ORDER of dismissal w/ prejudice. Entered. (HDC-J)k cps mld
5-2-80		DEPOSITIONS returned to counsel. g

PLAINTIFF		DEFENDANT	DOCKET NO. _____
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